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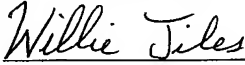
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:                      Cechan Tian et al.  
Serial No.:                                    10/648,941  
Filing Date:                                 August 26, 2003  
Group Art Unit:                             2817  
Title:                                         *Method and System for Controlling an Amplifier in an Optical Network*

**Mail Stop: Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

| CERTIFICATE OF MAILING<br>BY EXPRESS MAIL  |
|--|
| I hereby certify that this communication is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" under 37 C.F.R. § 1.10 on the date indicated below and is addressed to The Commissioner For Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450. |
| <br>Willie Jiles  |
| Date: August 17, 2004<br>Exp. Mail Receipt No. EV 324641157 US   |


**Information Disclosure Statement**

Applicants respectfully request, pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, that the references listed on the attached PTO-1449 form be considered and cited in the examination of the above-identified patent application. Furthermore, pursuant to 37 C.F.R. § 1.97(h), no representation is made that these references qualify as prior art or that these references are material to the patentability of the present application.

Since the present Application was filed after June 30, 2003, copies of the U.S. Patents cited on the attached PTO Form 1449 are not being submitted with this Information Disclosure Statement pursuant to the July 11, 2003 waiver of 37 C.F.R. § 1.98(a)(2)(i) by the U.S. Patent and Trademark Office.

Pursuant to 37 C.F.R. § 1.97(b), Applicants believe that this Information Disclosure Statement has been filed before the mailing date of a first official action. Therefore, Applicants believe that no fee is due. However, if a fee is required, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,  
BAKER BOTTS L.L.P.  
Attorneys for Applicants



Brian W. Oaks  
Reg. No. 44,981

Date: August 17, 2004

Correspondence Address:

**Customer Number: 05073**

PTO-1449

Application No.  
10/648,941Applicant(s)  
Tian et al.


Information Disclosure Citation  
In an Application

Docket Number  
064731.0377Group Art Unit  
2817Filing Date  
August 26, 2003**U.S. PATENT DOCUMENTS**

|  |   | DOCUMENT NO. | DATE       | NAME               | CLASS | SUBCLASS | FILING DATE |
|--|---|--------------|------------|--------------------|-------|----------|-------------|
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|  | K |              |            |                    |       |          |             |
|  | L |              |            |                    |       |          |             |
|  | M |              |            |                    |       |          |             |
|  | N |              |            |                    |       |          |             |
|  | O |              |            |                    |       |          |             |
|  | P |              |            |                    |       |          |             |

**FOREIGN PATENT DOCUMENTS**

|  |   | DOCUMENT NO. | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION |    |
|--|---|--------------|------|---------|-------|----------|-------------|----|
|  |   |              |      |         |       |          | YES         | NO |
|  | Q |              |      |         |       |          |             |    |

|  |   | DOCUMENT (Including Author, Title, Source, and Pertinent Pages) | DATE |
|--|---|---|------|
|  | R |   |      |

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

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